

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Continuation Application of U.S. Patent Application No. 09 / 877,046

Title: ARTICULATION MEMBER FOR USE IN A SURGICAL APPARATUS

Applicants: CARTIER, Raymond; PAOLITTO, Anthony

Prior Application Art Unit: 3732

Prior Application Examiner: O'CONNOR, Cary E.

To: Commissioner for Patents
Mail Stop PATENT APPLICATION
PO Box 1450
Alexandria, Virginia, 22313-1450
U.S.A.

PRELIMINARY AMENDMENT

Dear Sirs / Mesdames:

As a preliminary amendment, kindly amend the subject application as follows:

IN THE SPECIFICATION

Add the section indicated in the **Attachment** provided herewith.

REMARKS

This patent application is a continuation application of prior U.S. patent application Serial No. 09 / 877,046 entitled "ARTICULATION MEMBER FOR USE IN A SURGICAL APPARATUS" which was filed on June 11, 2001.

U.S. patent application Serial No. 09 / 877,046 is a continuation application of prior U.S. patent application Serial No. 09 / 482,052, now U.S. Patent Serial No.: 6,273,853, entitled "STERNUM RETRCTOR FOR PERFORMING BYPASS SURGERY ON A BEATING HEART" which was filed on January 13, 2000.

U.S. patent application Serial No. 09 / 482,052 is a continuation application of prior U.S. patent application Serial No. 08 / 940,766, now U.S. Patent Serial No.: 6,102,854 entitled "STERNUM RETRCTOR FOR PERFORMING BYPASS SURGERY ON A BEATING HEART" which was filed on September 30, 1997.

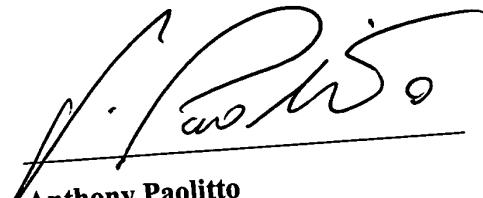
Entry of the present amendment, and acknowledgement of the continuation chain and priority claim of this continuation application, is respectfully requested.

This continuation application does not introduce new matter relative to the prior U.S. Patent Application 09 / 877,046. Except for the proposed amendment stating the continuation chain for this continuation application, the Examiner should note that the specification and drawings submitted with this continuation application are those submitted in prior U.S. patent application 09 / 877,046. The claims submitted in this continuation application are newly submitted. The abstract is newly submitted.

For greater certainty and to the extent necessary, a newly executed declaration is filed with this continuation application. This newly executed declaration reflects the change to the correspondence address that has occurred during the prosecution of the prior patent application Serial No. 09 / 877,046, and reflects the current residence address of inventor Raymond CARTIER and Anthony PAOLITTO.

Dated: 15 Sept 2003

Respectfully submitted,



Anthony Paolitto

(*Applicant & Assignee Representative*)
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ATTACHMENT

At the beginning of the specification (top of page 1) before the FIELD OF THE INVENTION section, insert the following (clean) section.

CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation application of U.S. patent application Serial No. 09/877,046, filed on June 11, 2001.

U.S. patent application Serial No. 09/877,046 is a continuation application of U.S. patent application Serial No. 09/482,052, now U.S. Patent Serial No. 6,273,853.

U.S. patent application Serial No. 09/482,052 is a continuation application of U.S. patent application Serial No. 08/940,766, now U.S. Patent Serial No. 6,102,854.